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11 **UNITED STATES DISTRICT COURT**
 12 **DISTRICT OF NEVADA**

SHARON BARNUM, JERRY P. CABEBE,)	Case No. 2:16-cv-02866-RFB-NJK
ROBERT SUSTRIK, and all similarly situated)	
individuals,)	
)	PROPOSED JOINT NOTICE AND
Plaintiffs,)	MOTION TO EXTEND TIME FOR
)	PARTIES TO SUBMIT ORDER
vs.)	PURSUANT TO DOCKET NO. 82
)	
EQUIFAX INFORMATION SERVICES, LLC,)	(FIRST REQUEST)
)	
Defendant.)	

18

19 To further minimize the burden on the judiciary and narrow the issues for consideration

20 by this Court to those ultimately disputed by the parties after a sufficient meet-and-confer period,

21 the parties present this Joint Notice and Motion for Continuance of the deadline for the parties to

22 file their “joint statement regarding each discovery request for which a dispute exists” in

23 accordance with this Court’s order (Docket No. 82) (“Order”).

24

1 In accordance with the Order, Plaintiffs and Equifax met and conferred via email on
2 Tuesday through Thursday, December 19-21, and held a productive telephone conference on
3 Thursday. The parties were unable to confer by telephone on Wednesday due to the unavoidable
4 travel itinerary of lead counsel for one of the parties.

5 The parties agreed that developments in two discovery processes will inform the scope of
6 the disputed items between the parties for this Court's consideration, if not meaningfully alter
7 the nature of those disputes.

8 First, the parties are actively working to address Plaintiffs' concerns regarding the
9 Equifax Master Agreement with FIS Card, which Plaintiffs argue "appears to be an incomplete
10 document." Docket No. 75 at 21. They seek "the complete contents of the controlling Master
11 Agreement during the Relevant Time period." *Id.* Equifax disagrees with the facts as set forth in
12 Plaintiffs' Emergency Motion and disagrees that Plaintiffs were entitled to any of the relief
13 sought in the Emergency Motion. Equifax has conducted a good-faith, reasonable search for
14 documents responsive to Plaintiffs' requests, but it is conducting one final search to
15 accommodate Plaintiffs' requests and has offered to produce authenticating declarations
16 regarding the FIS Master Agreement documents produced to date.

17 Second, Plaintiffs have served supplemental discovery requests, the responses to which
18 Equifax is due to serve by December 29.

19 The parties agreed it would be premature for this Court to consider and decide the
20 discovery disputes at issue before permitting developments in these two areas to run their course.
21 The parties believe that it would be more constructive for the parties to continue narrowing and
22 crystallizing the dispute in an effort to make the final joint statement submitted to this Court as
23 narrow as possible.

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1 To that end, the parties propose and stipulate to the following timetable:

2
3 **December 29** Equifax’s deadline to serve responses to Plaintiffs’
supplemental discovery requests

4 **January 5** Deadline for the parties to conclude their meet-and-
5 confer efforts regarding the FIS Master Agreement and
Equifax’s responses to Plaintiffs’ supplemental
6 discovery requests

7 **January 12** Deadline for parties to submit joint statement in
accordance with Docket No. 82.

8
9 The parties do not wish to needlessly postpone resolution of the disputed discovery
10 requests; nor do they wish only to delay their efforts preparing the joint statement in accordance
11 with Docket No. 82. The parties agree that while some disputes may only be resolved or altered
12 after developments in the two areas above, there are some disputed requests that are unlikely to
13 be affected by any developments in the next two weeks. As such, the parties will work diligently
14 until January 5 to draft the sections of the joint statement pertaining to disputes that are unlikely
15 to be meaningfully affected by developments in the next two weeks.

16 Good cause exists for this extension—namely, to allow the parties additional time to
17 conduct discovery relevant to disputed items raised in Plaintiffs’ Motion to Compel, Motion for
18 Leave to File Supplemental Authority, and Motion to Extend Discovery and Reopen Expert

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1 Discovery, and in Equifax's responses to them. Moreover, this extension will give the parties
2 time to crystallize and narrow the scope of disputed items to minimize the burden on this Court
3 and target this Court's intervention to intractable disputed issues.

4 Respectfully submitted this 22nd day of December, 2017.

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21 IT IS SO ORDERED:

22 
UNITED STATES MAGISTRATE JUDGE

23 DATED: December 22, 2017